



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON ZONING, PLANNING AND HOUSING

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### Voting Members:

Ron Menor, Chair  
Tommy Waters, Vice Chair  
Brandon J.C. Elefante  
Ann H. Kobayashi  
Joey Manahan

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## AGENDA

REGULAR MEETING  
CITY COUNCIL CHAMBER  
THURSDAY, JUNE 18, 2020  
9:00 A.M.

### **PUBLIC PARTICIPATION AND TESTIMONY**

Pursuant to the Ninth Supplementary Proclamation issued by Governor David Ige on June 10, 2020, relating to the COVID-19 pandemic, in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting:

### **VIEWING THE MEETING AND RESTRICTIONS ON ENTRY**

**Except as provided below for persons wishing to present in-person oral testimony, members of the public will not be allowed into the meeting room, but may view the meeting on a live broadcast.** The meeting will be viewable: (1) on monitors situated outside of the meeting room; (2) by internet live streaming through [www.honolulucitycouncil.com](http://www.honolulucitycouncil.com) and [http://olelo.granicus.com/MediaPlayer.php?publish\\_id=92](http://olelo.granicus.com/MediaPlayer.php?publish_id=92); and (3) by televised live broadcast on Olelo TV Channel 54.

Members of the public gathered outside the meeting room shall comply with the Safe Practices and Social Distancing Requirements set forth, respectively, in Governor Ige's Ninth Supplementary Proclamation dated June 10, 2020, and Mayor Kirk Caldwell's Emergency Order No. 2020-14 dated May 28, 2020.

After the meeting, the meeting will be viewable at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Some members of the committee and presenters may be participating by interactive conference technology from remote locations.

### **ORAL TESTIMONY**

Oral testimony will be permitted on all items on the agenda, subject to the following restrictions:

1. In-person testifiers will not be allowed into the meeting room until it is their turn to testify. Testifiers may follow the meeting on a video monitor outside the meeting room. When a testifier's name is called, the testifier may enter the meeting room to provide oral testimony and must leave immediately thereafter.

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Persons testifying at the Council Chamber are requested to register by 9:00 a.m. as follows:

- a. On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- b. By faxing to 768-3827 your name, phone number, and subject matter; or
- c. By calling 768-3825.

In-person registration is not available.

Persons who have not registered to testify by 9:00 a.m. will be given an opportunity to speak on an item following oral testimonies of the registered speakers. They must wait in line outside the meeting room until the next testifier is called, and they must leave immediately after presenting their testimony.

2. Persons may submit oral testimony remotely through the Webex platform. To participate, persons should visit [www.webex.com](http://www.webex.com), click "Join," enter meeting number 1465849104, and complete the registration process. Registrants will receive an email that contains links and information on joining the meeting by either phone or video conference. Remote testifiers are strongly encouraged to register at least 24 hours before the start of the meeting.
3. Each speaker may not have anyone else read their statement and is limited to a **one-minute** presentation.

### **WRITTEN TESTIMONY**

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, email address and phone number, will be available to the public on both the City's Council's pilot website: [www.honolulu.citycouncil.com](http://www.honolulu.citycouncil.com) as well as the City's legacy DocuShare Website. Written testimony will not be accepted in person at the meeting.

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### **MATERIALS AVAILABLE FOR INSPECTION**

Meeting materials ("*board packet*" under HRS Section 92-7.5) are available for public inspection in the hallway bookshelf next to the Council Information and Records Section's service window at Room 202 in Honolulu Hale (530 S. King St.). The materials in the board packet also are accessible at [www.honolulu.citycouncil.com](http://www.honolulu.citycouncil.com) by clicking on the link for each item on the online agenda for the meeting.

Accommodations are available upon request to persons with disabilities. Please call 768-3825 or send an email to [potto1@honolulu.gov](mailto:potto1@honolulu.gov) at least three working days prior to the meeting.

## FOR ACTION

1. **RESOLUTION 20-57 – SMP AND SSV FOR MODIFICATIONS TO THE STORM WATER DRAINAGE SYSTEM ALONG KAWAIOLOA AND ALALA ROADS IN KAILUA (2019/SMA-41 and 2019/SV-1).** Granting a Special Management Area Use Permit (SMP) and Shoreline Setback Variance (SSV) for modifications to the storm water drainage system along Kawailoa and Alala Roads in Kailua, on land zoned R-7.5 Residential District and P-2 General Preservation District, in order to reduce ponding and flooding impacting the roads, residences, and areas surrounding Kailua Beach Park and identified as Tax Map Keys 4-3-010: 084, 4-3-010: 088, and 4-3-009: 001. (Transmitted by Communication D-122 [2020]) (Applicant: City and County of Honolulu, Department of Design and Construction) (Current deadline for Council action 11/20/20)

**PROPOSED CD1 TO RESOLUTION 20-57** (Submitted by Councilmember Menor)  
– The proposed CD1 (OCS2020-0305/3/9/2020 10:19 AM) makes the following amendments:

- A. Separates the first WHEREAS clause into two separate WHEREAS clauses:
  1. In the first WHEREAS clause, clarifies that the Project site is comprised of approximately 1.03 acres of land zoned R-7.5 and P-2 General Preservation District, located at Kailua Beach Park and Kailua Beach and identified as Tax Map Keys 4-3-010:084, 4-3-010:088, and 4-3-009:001, a portion of the Alala Road right of way, and a portion of Kailua Bay seaward of the shoreline; and
  2. In the second WHEREAS clause, clarifies that the Project involves constructing two new earth berms and a new concrete swale; reconstructing the sidewalk along Alala Road and adding five new sidewalk culverts; replacing existing underground drainage with a new concrete box culvert; reconstructing a portion of an asphalt bicycle path; replacing the existing outlet structure that extends beyond the shoreline with new concrete rubble masonry walls and riprap, reconstructing the retaining walls along Alala Road, and replacing the chain link fence along Alala Road.
- B. In the fourth WHEREAS clause, adds reference to HRS Section 205A-46.
- C. Adds February 24, 2020 as the date the Council received the DPP's findings and recommendation by Departmental Communication 122 (2020).

- D. In Condition A, clarifies that modifications to the storm water drainage system within the SMA and shoreline setback area must be in general conformity with the Project as proposed.
- E. In Condition D, clarifies that all construction activity is restricted to daylight (instead of daytime) hours.
- F. Makes miscellaneous technical and nonsubstantive amendments.

2. **RESOLUTION 19-293 – AFFORDABLE RENTAL HOUSING FOR CURRENT PUBLIC SCHOOL TEACHERS.** Requesting the Department of Land Management to identify City-owned real property that has the potential to be developed as affordable rental housing for current public school teachers.

PROPOSED CD1 TO RESOLUTION 19-293 (Submitted by Councilmember Menor) – The proposed CD1 (OCS2020-0588/6/10/2020 3:34 PM) makes the following amendments:

- A. Deletes the first through the fourth “WHEREAS” clauses on Page 2 of the resolution, which related to a collaboration with Landed, a San Francisco-based company that offers down payment assistance to teachers in certain urban hubs across the nation.

3. **RESOLUTION 20-151 – DEVELOPMENT OF PUBLIC SCHOOL LAND.** Urging the State Department of Education to consider developing public school land on Oahu with affordable rental housing for current public school teachers pursuant to the temporary affordable rental housing program established by Ordinance 19-8 and urging the City Administration to provide outreach to the State Department of Education regarding the potential benefits of the program.

4. **BILL 42 (2020) – BUILDING PERMIT APPLICATIONS.** Requiring applicants for building permits for residential structures to attest that the construction complies with all restrictive covenants for the land on which the proposed work is to be done. (Bill passed First Reading 5/20/20)

PROPOSED CD1 TO BILL 42 (2020) (Submitted by Councilmember Menor) – The proposed CD1 (OCS2020-0483/5/20/2020 2:17 PM) makes the following amendments:

- A. In the findings and intent provisions of SECTION 1 of the bill, and in proposed new ROH Section 18-4.1(j), requires that a building permit application for a residential dwelling be accompanied by a duly notarized affidavit (instead of an attestation) executed by a person with a proprietary

interest in the subject property (instead of the applicant and the property owner), stating that the proposed construction will comply with all applicable restrictive covenants.

B. Makes miscellaneous technical and nonsubstantive amendments.

5. **RESOLUTION 19-238 – ALA MOANA TOD PLAN.** Approving the Ala Moana Neighborhood Transit-Oriented Development (TOD) Plan (June 2016). (Committee postponed action 10/24/19)

Related communications:

CC-177 Councilmember Ron Menor, submitting proposed CD1 amendments to Resolution 19-238.

D-387 Department of Planning and Permitting, submitting proposed amendments to the draft Ala Moana Neighborhood Transit-Oriented Development (TOD) Plan.

## INFORMATIONAL BRIEFING

6. **UPDATE BY THE DEPARTMENT OF PLANNING AND PERMITTING REGARDING THE STATUS OF ALL PENDING LAND USE ORDINANCE AMENDMENTS, DEVELOPMENT PLANS AND SUSTAINABLE COMMUNITIES PLAN REVISION BILLS.**

RON MENOR, Chair  
Committee on Zoning, Planning  
and Housing